

STIPULATION AND CONSENT ORDER - 1

and voluntarily admits that on October 23, 2006, she signed the Student Record of Instruction for Jessica Clark as "Jessica Clark" as shown on Exhibit A.

A.5. The allegations of Paragraphs A.3 and A.4 if proven, would violate the laws and rules governing the practice of cosmetology, specifically Idaho Code § 54-816(6) (unprofessional conduct), Idaho Code § 54-816(6) (violation of statutes or rules), Board Rule 200.01 (student records) and/or Board Rule 500.05 (student records). Violations of these laws constitute grounds for disciplinary action against Respondent's license to practice cosmetology in the State of Idaho.

B. Waiver of Procedural Rights

I, Theresa Kaye Parks, by affixing my signature hereto, acknowledge that:

B.1. I have read, understand and admit the allegations pending before the Board, as stated in Section A, Paragraphs A.3 and A.4. I further understand that these allegations constitute cause for disciplinary action upon my license to practice cosmetology in the State of Idaho.

B.2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to testify myself; the right to reconsideration of the Board's orders; the right to judicial review of the Board's orders; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of cosmetology in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

B.3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my license without further process.

C. Stipulated Discipline

C.1. Cosmetology Instructor License No. CI-232068 issued to Respondent Theresa Kaye Parks is hereby SUSPENDED for six (6) months. During the 6-month mandatory suspension period, Respondent shall not practice as a cosmetology instructor

in the State of Idaho. The 6-month mandatory suspension period shall commence seven (7) days from the date of entry of the Board's Order. The Bureau of Occupational Licenses shall issue Respondent a Registered Cosmetologist (RC) license to allow Respondent to practice as a registered cosmetologist in accordance with Idaho law during the period of suspension of Respondent's Cosmetology Instructor license.

C.2. Respondent shall serve a three (3) year probationary period, as follows. The Registered Cosmetologist license issued to Respondent shall be placed on probation for a period of six (6) months from the date of issuance. At the time Respondent's Cosmetology Instructor license is reinstated at the conclusion of the 6-month suspension period, said Cosmetology Instructor License No. CI-232068 shall be placed on probation for a period of thirty (30) months from the date of reinstatement. The conditions of probation are as follows:

a. Respondent shall comply with all state, federal and local laws, rules and regulations governing the practice of cosmetology in the State of Idaho.

b. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

c. If Respondent leaves Idaho for three (3) continuous months, or resides or practices outside of the state, Respondent must notify the Board in writing of the dates of departure, address of intended residence or place of business, and whether Respondent intends to return. Periods of time spent outside Idaho will not apply to satisfy this probationary period or excuse compliance with the terms of this Stipulation.

d. Respondent shall fully cooperate with the Board and its agents, and shall make all relevant files, records, correspondence or other documents available immediately upon the demand of any member of the Board and its agents.

C.3. At the conclusion of the three-year probationary period and provided Respondent has complied with all other terms of this Stipulation, Respondent may request from the Board termination of the conditions of probation. Any request for termination of

probation must be accompanied by written proof of compliance with the terms of this Stipulation.

C.4. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.5. The violation of any of the terms of this Stipulation by Respondent may warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D. Presentation of Stipulation to Board

D.1. The Board's prosecutor shall present this Stipulation to the Board with a recommendation for approval.

D.2. The Board may accept, modify with Respondent's approval, or reject this Stipulation. If the Board rejects the Stipulation, an administrative Complaint may be filed with the Board. Respondent waives any right Respondent may have to challenge the Board's impartiality to hear the allegations in the administrative Complaint based on the fact that the Board has considered and rejected this Stipulation. Respondent does not waive any other rights regarding challenges to Board members.

D.3. If the Board rejects this Stipulation then, except for Respondent's waiver set forth in Paragraph D.2., this Stipulation shall be regarded as null and void, and admissions in this Stipulation and negotiations preceding the signing of this Stipulation will not be admissible at any subsequent disciplinary hearing.

D.4. Except for Paragraph D.2. which becomes effective when Respondent signs this Stipulation, this Stipulation shall not become effective until it has been approved by a majority of the Board and a Board member signs the attached Order.

E. Violation of Stipulation and Consent Order

E.1. If Respondent violates this Stipulation and Consent Order, the violation shall be considered grounds for additional discipline and the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board to assess whether Respondent has violated this Stipulation and Consent Order. The Chief shall also serve notice of the hearing and charges to Respondent and to Respondent's attorney, if any. Within fourteen (14) days after the notice of the hearing and charges is served, Respondent may submit a response to the allegations. If Respondent does not submit a timely response to the Board, the alleged violations will be deemed admitted.

b. At the hearing, the Board and Respondent may submit evidence and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to evidence relevant to whether Respondent has violated this Stipulation and Consent Order. At the hearing the facts and substantive matters related to the violations described in Section A shall not be at issue.

c. At the hearing, the Board may impose additional discipline, which may include the suspension or revocation of Respondent's license, the imposition of fines, the recovery of costs and attorney fees incurred by the Board and/or other conditions or limitations upon Respondent's practice.

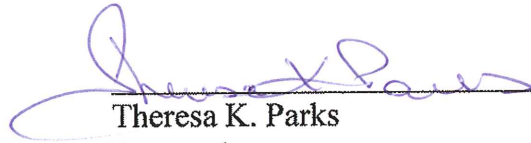
E.2. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

E.3. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I am waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for

settlement. I understand that if the Board approves this Stipulation subject to changes, and the changes are acceptable to me, the Stipulation will take effect and an order modifying the terms of the Stipulation will be issued. If the changes are unacceptable to me or the Board rejects this Stipulation, it will be of no effect.


DATED this 13th day of MARCH, 2008. 2009


Theresa K. Parks
Respondent

I recommend that the Board enter an Order based upon this Stipulation.

DATED this 19th day of May, 2008 9

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By 
Emily A. Mac Master
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-816, the foregoing is adopted as the decision of the Board of Cosmetology in this matter and shall be effective on the 13th day of June, 2009. **IT IS SO ORDERED.**

IDAHO STATE BOARD
OF COSMETOLOGY

By 

CERTIFICATE OF SERVICE

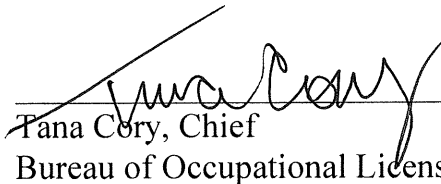
I HEREBY CERTIFY that on this 19th day of June, 2009, I caused to be served a true and correct copy of the foregoing by the following method to:

Theresa Kaye Parks
608 E. 19th Avenue
Post Falls, ID 83854

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☐ Statehouse Mail

Emily A. Mac Master
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☒ Statehouse Mail



Tana Cory, Chief
Bureau of Occupational Licenses

JESSICA, CLARK

attended

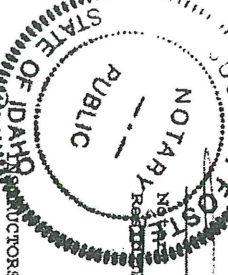
HEADMASTERS SCHOOL OF HAIR DESIGN from the 20 of June
2005 until the 5 of September 2006, continuously, with the
following exceptions:

I, JESSICA CLARK, hereby certify that the
foregoing copy is a correct account of the course completed by me at
HEADMASTERS SCHOOL OF HAIR DESIGN

that my work at the school has been at all times under the personal
supervision of a licensed instructor, an I further state that the
information contained herein is true and corrected to the best of my
knowledge.

Student Signature

Subscribed and sworn to before me this 23 day of



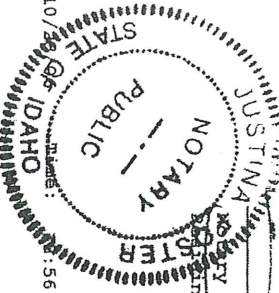
Notary Public official signature
Carrie Forst expires 6/10

INSTRUCTOR'S CERTIFICATE

I, Carrie Forst, hereby certify that I am a
licensed instructor in cosmetology in HEADMASTERS SCHOOL OF HAIR DESIGN
school, that I have instructed the above named person and that the
foregoing statement is a true and correct record of the instruction
obtained and the practice performed by JESSICA
CLARK (student).

Instructor Signature

Subscribed and sworn to before me this 23 day of



Notary Public official signature
Justin A. Foster expires 5/10

Date: 10/19/06 Time: 5:56:56

STATE OF IDAHO
BUREAU OF OCCUPATIONAL LICENSES
1109 Main Street, Ste 220 Boise, ID 83702
(208) 334-3233 Fax (208) 334-3945

STUDENT RECORD OF INSTRUCTION

This record shall be maintained by the school and verified
by both the student and an instructor of the school. The record
shall be kept up to date and available upon request for inspection
by the Bureau during school hours.

This is the only official record of training and shall be
submitted to the Bureau within thirty (30) days of the student's
termination or completion of training.

Name

JESSICA, CLARK

Address

1802 Trease #10

Date and Place of Birth

07/27/81

Date of Admission to Beauty School

June 20 2005

Last Date of Attendance

September 5 2006

Name and Location of Beauty School
HEADMASTERS SCHOOL OF HAIR DESIGN

602 MAIN STREET

LEWISTON, ID 83501

OCCUPATIONAL LICENSES
OCT 24 2006
RECEIVED

SmartDate: 10/19/06